

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA,)	
)	Case No. 18-cv-13118
Plaintiff,)	
)	Judge Mark A. Goldsmith
v.)	
)	Executive Magistrate Judge R.
AYANNA HATCHETT, an individual,)	Steven Whalen
)	
ELBERT HATCHETT, an individual,)	
)	
HOMER W. MCCLARTY, as Chapter 7)	
Trustee in <i>In re: Laurestine Hatchett</i> ,)	
Case No. 17-45163 (Bankr. E.D. Mich.),)	
)	
and)	
)	
STATE OF MICHIGAN)	
)	
)	
<u>Defendants.</u>)	

**Stipulation for Entry of Order of Dismissal Superseding Order of Dismissal
with Prejudice Dated September 10, 2019 (Dkt. No. 51)**

The parties, through their undersigned counsel, stipulate for entry of an order of dismissal containing the terms set forth below:

1. This order supersedes the order of dismissal with prejudice dated September 10, 2019 (Dkt. No. 51).

2. The Clerk is directed to distribute the following amounts from the proceeds of \$483,273.98 previously deposited into the Court's registry in the manner described below:

a. The Clerk shall forthwith issue a check payable to “Homer W.

McClarty, Chapter 7 Trustee for *In re: Laurestine Hatchett*, Case No.

17-45163 (Bankr. E.D. Mich.)” in the amount of \$175,000 and send

the check to the following address:

Steinberg Shapiro & Clark
Attn: Tracy Clark
25925 Telegraph Road, Suite 203
Southfield, MI 48033

b. The Clerk shall forthwith issue a check payable to “U.S. Department

of Justice” for the remaining deposited funds (\$308,273.98) plus any

accrued interest on the deposited funds and send the check to the

following address:

Department of Justice ATTN TAXFLU
P.O. Box 310 – Ben Franklin Station
Washington, DC 20044

3. The case is dismissed with prejudice, except without prejudice to the United States’ right to have the matter be reinstated to enter a personal judgment against Ayanna Hatchett in the case of default as described in ¶¶ 5 and 6 of the parties’ settlement agreement and right to engage in additional discovery and to bring additional claims as described in ¶ 8 of the parties’ settlement agreement.

4. The Court shall retain jurisdiction to adjudicate any dispute arising in respect to the interpretation and performance of the parties’ settlement agreement, for which purpose the case may be reopened.

5. Each party shall bear his/her/its own costs and expenses, including any and all legal fees incurred in connection the case.

For Plaintiff United States of America
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Principal Deputy Assistant Attorney
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/s/Pingping Zhang
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**For Defendant Homer W. McClarty,
Chapter 7 Trustee**
Steinberg Shapiro & Clark

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	<p>For Defendant State of Michigan DANA NESSEL Attorney General of Michigan <u>/s/ with permission of Moe Freedman</u> Moe Freedman (P74224) Assistant Attorney General Attorneys for Michigan Dept. of Treas. 3030 W. Grand Blvd. Ste 10-200 Detroit, MI 48202 313-456-0140 313-456-0291-Fax</p>
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STATE OF MICHIGAN)	
)	
Defendants.)	

**Order of Dismissal Superseding Order of Dismissal with Prejudice Dated
September 10, 2019 (Dkt. No. 51)**

Upon the parties' stipulation, it is hereby **ORDERED** that:

1. This order supersedes the order of dismissal with prejudice dated September 10, 2019 (Dkt. No. 51).
2. The Clerk is directed to distribute the following amounts from the proceeds of \$483,273.98 previously deposited into the Court's registry in the following manner:
 - a. The Clerk shall forthwith issue a check in the amount of \$175,000 and payable to "Homer W. McClarty, Chapter 7 Trustee for *In re: Laurestine Hatchett*, Case No. 17-45163 (Bankr. E.D. Mich.)" and send the check to the following address:

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4. The Court shall retain jurisdiction to adjudicate any dispute arising in respect to the interpretation and performance of the parties’ settlement agreement, for which purpose the case may be reopened.

5. Each party shall bear his/her/its own costs and expenses, including any and all legal fees incurred in connection the case.

So Ordered.

Dated: September 30, 2019
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge